

REMARKS

Claims 1 to 31 were pending in the application at the time of examination. Claims 1 to 31 stand rejected as obvious.

Applicant(s) have amended the description to properly reflect the status of the U.S. Patent Applications cited therein.

Claims 1 to 31 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent Application Publication No. 2005/0138354 of Saltz, hereinafter referred to as Saltz.

Applicant respectfully traverses the anticipation rejection of Claim 1. Applicant respectfully notes that in an anticipation rejection, it is not sufficient that a reference use some of the same terms as recited in Applicant's claims, but rather the "The identical invention must be shown in as complete detail as is contained in the ... claim." MPEP §2131, 8th. Ed., Rev. 3, p. 2100-76 (August 2005).

Applicant notes that the burden is on the Examiner to demonstrate that Saltz shows the identical invention as required by the MPEP. If the rejection fails to meet the requirements for an anticipation rejection, a prima facie anticipation rejection has not been established. As discussed more completely below, a prima facie anticipation rejection has not been made because explicit claim limitations were not cited as being taught by Saltz, and Saltz fails to teach the invention in the same level of detail as recited in Claim 1.

Slatz stated:

. . . As FIG. 2 illustrates, a plurality of Java Card.TM. applications (or applets) A, B, C, D, E, F and G may reside on the Java Card.TM. platform 202 (or Java Card.TM.). . . . The Java Card.TM. applets A, B, C, D, E, F, G and H can be instantiated when loaded and stay alive when the power is switched off. As such, a card applet can behave in a similar way as a server and

remain passive. In other words, after the card platform 202 is powered up, an applet can remain inactive until it's selected, at which time initialization may be done (Emphasis Added)

Saltz, paragraph [0047]

The rejection cited this paragraph 0047 as teaching "instantiating the applications on the card." Therefore, the rejection takes the position that applications A to G read on the application recited in Claim 1.

Claim 1 also recites in part:

configuring the application in accordance with the stored AID, wherein the application is configured in accordance with said at least one customization parameter (Emphasis Added)

The rejection stated;

● Configuring the application (Specification par. 0040, 0050, 0069, Figs. 3A-8)

Applicant respectfully notes that the rejection did not address the claim limitation as a whole. In view of the above requirement of the MPEP, this alone is sufficient to overcome the rejection, because the rejection has not alleged that Saltz teaches the invention to the same level of detail as recited in Claim 1.

Moreover, Paragraph [0040] does not mention the applications of paragraph [0047], an AID or a customization parameter in the AID, but rather "frameworks for a configurable firewall" are discussed. Paragraph [0050] discussed "firewall protection provided by the Runtime Environment (JCRE 208) is configurable." Paragraph [0069] discussed "a control block 370," and stated "control block 370 provides the flexibility to use various techniques for implementing configurable firewalls..."

The rejection identified applications as being different from the firewall of Saltz, as noted above. Accordingly, since the rejection cited to configuring

firewalls and not the application of paragraph [0047], the rejection itself establishes that Saltz fails to teach the element of Claim 1 quoted above in the same level of detail as recited in Claim 1. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 1.

Claims 2 to 11 depend from Claim 1 and so distinguish over Saltz for at least the same reasons as Claim 1. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 2 to 11.

Claim 12 is an apparatus claim that includes "wherein the application is configured in accordance with said at least one customization parameter from the stored AID." Again, the rejection did not address this limitation. This limitation is similar to that discussed above with respect to Claim 1 and so the above remarks with respect to Claim 1 are applicable and are incorporated herein by reference. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 12.

Claims 13 to 19 depend from Claim 12 and so distinguish over Saltz for at least the same reasons as Claim 12. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 13 to 19.

Claim 20 is an apparatus claim that includes limitations similar to those discussed above with respect to Claim 1. Accordingly, the above comments with respect to Claims 1 are incorporated herein by reference. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 20.

Claim 21 is a computer product claim that includes limitations similar to those discussed above with respect to Claim 1. Accordingly, the above comments with respect to Claims 1 are incorporated herein by reference. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 21.

Claims 22 to 31 depend from Claim 21 and so distinguish over Saltz for at least the same reasons as Claim 21. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 22 to 31.

Claims 1 to 31 remain in the application. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

**CERTIFICATE OF MAILING**


I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 20, 2005.



Attorney for Applicant(s)

December 20, 2005  
Date of Signature

Respectfully submitted,



Forrest Gunnison  
Attorney for Applicant(s)  
Reg. No. 32,899  
Tel.: (831) 655-0880

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig. 1 as required in the office action. The attached twenty-nine replacement sheets of drawings also correct minor informalities and generally conform to USPTO drawing guidelines for Figs. 1, 1A, 1B, 1C, 2, 3, 4, 5, 5A, 5B, 5C, 5D, 6, 6A, 6B, 6C, 6D, 6E, 6F, 7, 8, 8A, 8B, 8C, 8D, 8E, 8F, 9, 10, 11, 11A, 12, 12A, 13, 13A, 14, and 15.

Sheet 1, which includes Fig. 1, replaces the original Sheet 1 including Fig. 1.

Sheet 2, which includes Figs. 1A and 1B, replaces the original Sheet 2 including Figs. 1A and 1B.

Sheet 3, which includes Fig. 1C, replaces the original Sheet 3 including Fig. 1C.

Sheet 4, which includes Fig. 2, replaces the original Sheet 4 including Fig. 2.

Sheet 5, which includes Fig. 3, replaces the original Sheet 5 including Fig. 3.

Sheet 6, which includes Fig. 4, replaces the original Sheet 6 including Fig. 4.

Sheet 7, which includes Figs. 5, 5A and 5B, replaces the original Sheet 7 including Figs. 5, 5A and 5B.

Sheet 8, which includes Figs. 5C and 5D, replaces the original Sheet 8 including Figs. 5C and 5D.

Sheet 9, which includes Fig. 6, replaces the original Sheet 9 including Fig. 6.

Sheet 10, which includes Fig. 6A, replaces the original Sheet 10 including Fig. 6A.

Sheet 11, which includes Fig. 6B, replaces the original Sheet 11 including Fig. 6B.

Sheet 12, which includes Fig. 6C, replaces the original Sheet 12 including Fig. 6C.

Sheet 13, which includes Fig. 6D, replaces the original Sheet 13 including Fig. 6D.

Sheet 14, which includes Fig. 6E, replaces the original Sheet 14 including Fig. 6E.

Sheet 15, which includes Fig. 6F, replaces the original Sheet 15 including Fig. 6F.

Sheet 16, which includes Fig. 7, replaces the original Sheet 16 including Fig. 7.

Sheet 17, which includes Fig. 8, replaces the original Sheet 17 including Fig. 8.

Sheet 18, which includes Figs. 8A and 8B, replaces the original Sheet 18 including Figs. 8A and 8B.

Sheet 19, which includes Figs. 8C and 8D, replaces the original Sheet 19 including Figs. 8C and 8D.

Sheet 20, which includes Figs. 8E and 8F, replaces the original Sheet 19 including Figs. 8E and 8F.

Sheet 21, which includes Fig. 9, replaces the original Sheet 21 including Fig. 9.

Sheet 22, which includes Fig. 10, replaces the original Sheet 22 including Fig. 10.

Sheet 23, which includes Fig. 11, replaces the original Sheet 23 including Fig. 11.

Sheet 24, which includes Fig. 11A, replaces the original Sheet 24 including Fig. 11A.

Sheet 25, which includes Fig. 12, replaces the original Sheet 25 including Fig. 12.

Sheet 26, which includes Figs. 12A and 13A, replaces the original Sheet 26 including Figs. 12A and 13A.

Sheet 27, which includes Fig. 13, replaces the original Sheet 27 including Fig. 13.

Sheet 28, which includes Fig. 14, replaces the original Sheet 28 including Fig. 14.

Sheet 29, which includes Fig. 15, replaces the original Sheet 29 including Fig. 15.

Attachment: 29 Replacement Sheets